MEDIA POLICY BRIEF 13

Televised Debates in Parliamentary Democracies

Nick Anstead
London School of Economics and Political Science
ACKNOWLEDGMENTS

The author would like to thank Nora Kroeger for providing research support for this paper, and in particular for translations of German texts. This research would not have been possible without financial support from the LSE’s Department of Media and Communications Research Fund.

The LSE Media Policy Project is funded by the Higher Education Innovation Fund 5 with additional support from the Open Society Foundation.

LSE Media Policy Project Series Editors: Sally Broughton Micova, Emma Goodman and Damian Tambini

Creative Commons Licence, Attribution – Non-Commercial.

The licence lets others remix, tweak and build upon your work non-commercially, and although their new works must also acknowledge you and be non-commercial, they don’t have to license their derivative works on the same terms.

January 2015
LSE Media Policy Project
http://blogs.lse.ac.uk/mediapolicyproject/
KEY MESSAGES

- British broadcasters need to rethink televised pre-election debates to account for the fragmentation of the traditional party system, and should look beyond the US for inspiration.

- Germany provides the most appropriate model, with two rounds of debates that take all parties into account while recognising two key competitors.

- There should be clear and enduring guidance on when a party is included and not just an ad hoc reaction to the sudden visibility of one party.
Although 1959 has been widely acknowledged as the first television election in British history\(^1\), voters had to wait more than fifty years for a televised election debate, with the first such broadcast in 2010. However, organising a repeat production in 2015 is already looking problematic.\(^2\)

There are always contentious decisions to be taken around the organisation of televised election debates – how many broadcasts actually take place, when and where they will occur, and what level of audience participation will be allowed. However, the most difficult issues in the UK in 2015 is likely to be the question of inclusion – that is, which parties are invited to participate. This is now a more difficult issue than it was in 2010 due to the increasing fragmentation of the traditional UK party system. Recently, this has been most evident in – although not limited to – the growing support for the United Kingdom Independence Party (UKIP). These developments make reaching an agreement for televised debates (and especially persuading major political parties to agree to participate) far more complicated, as there are more varied interests to be accommodated.

Broadcasters seeking to organise televised debates in 2015 have acknowledged this new situation by proposing a different format to the “3 x 3” model of 2010 (that is, three debates each featuring the leaders of the three established parties). Instead, a so-called “4-3-2” format structure has been suggested.\(^3\) The format of the three broadcasts would be:

- A first debate among the Conservatives, Labour, the Liberal Democrats and UKIP.
- A second debate among only the three established parties.
- A final debate between the Conservatives and Labour.

This proposal, however, only offers a partial solution to the challenge of organising televised debates in 2015. Other alternatives should be considered. This brief argues that UK political parties and broadcasters should look at the experience of other parliamentary democracies for an appropriate format in 2015. Largely due to reasons of familiarity, UK commentators have tended to draw on the US example when discussing televised debates. Many parliamentary democracies – including many in the European Union and in the Commonwealth – have decades of experience of organising televised debates and tackling the particular challenges that come with wedding the debate format with the distinctive constitutional logic of parliamentary democracy.
This paper offers insights from Australia, Canada and Germany to address three questions:

1. From experience of other parliamentary democracies, what are the problems with organising debates for the election after their first occurrence? Based on this evidence, how likely is it that the 2015 UK General Election will feature televised debates?

2. Which parties should be invited to participate in pre-election debates and on what rationale?

3. How should debates of this kind be organised and regulated?
The experiences of other parliamentary democracies suggest that, even with the precedent of 2010, there are no guarantees of a television debate in the UK in 2015.

The challenge of organising debates second time around

It might be assumed that once the televised debate genie was out of the bottle in the UK, there would be no going back. However, Table 1 indicates that such assumptions are not necessarily justified, at least on the basis of the experience of other parliamentary democracies.

Table 1: Consistency of televised debate in selected parliamentary democracies since first occurrence

<table>
<thead>
<tr>
<th>Country</th>
<th>First TV debate</th>
<th>No. of elections since</th>
<th>No. of elections with TV debates</th>
<th>Percentage of elections with TV debates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>1984</td>
<td>10</td>
<td>9</td>
<td>90.0</td>
</tr>
<tr>
<td>Canada</td>
<td>1968</td>
<td>13</td>
<td>10</td>
<td>76.9</td>
</tr>
<tr>
<td>W. Germany / Germany</td>
<td>1972'</td>
<td>12</td>
<td>9</td>
<td>75.0</td>
</tr>
</tbody>
</table>

Of the three countries considered here, Australia has most frequently held televised debates. In the ten elections since the first such broadcast in 1984, only once has there been no debate. The missing election in the sequence was 1987, the contest immediately after the first one held. Similarly, Canada had its first debate in 1968 but parties were unable to agree to a rematch until the 1979 election, meaning debates failed to occur in both 1972 and 1974. While Germany was able to organise a debate in 1976 (the election immediately after the first formal debate), broadcasts have only occurred in 75 per cent of elections since the first broadcast. This is because of Chancellor Helmut Kohl’s refusal to participate in debates from 1990, which led to a hiatus lasting until 2002.
Allowing for smaller party participation

The question of which parties and politicians are allowed to participate is perhaps the most pressing issue for televised debates in the upcoming general election. There are a number of reasons why this issue is so significant:

• **The rise of UKIP.** UKIP presents the biggest and most obvious challenge to organising televised debates in 2015, as the party has achieved a number of notable political successes since the last general election. Polls have consistently placed the party in third position since 2012, ahead of the Liberal Democrats. The party also won the most votes in the 2014 European Parliamentary Elections, the first time that a party outside the Conservative-Labour duopoly has achieved this in a nation-wide election since 1906. Following the Clacton by-election in October 2014, and then the Rochester and Strood by-election in November 2014, UKIP also has representation in the House of Commons.

• **The number of parties represented in the House of Commons.** UKIP’s by-election victory are part of a broader pattern of success among small parties in winning seats in the House of Commons, notably Caroline Lucas taking Brighton Pavilion for the Greens in the 2010 general election, and George Galloway winning the Bradford West by-election for Respect in 2012.

• **The potential for further success by the Scottish National Party (SNP).** The independence referendum of September 2014 has highlighted the growing divergence between Scottish politics and the rest of the country. While it remains to be seen whether the Scottish National Party will capitalise on the mobilisation of support that occurred during the referendum period, there is a possibility that they will be more prominent challengers in a number of seats in 2015.

These evolving dynamics within the British party system offer one important reason why the US example is not a very good fit with contemporary UK politics. With the exception of periodic flurries of support for third party or independent candidates (the last of any size occurring in 1992) the Democrats and Republicans have retained high levels of dominance in the US party system. This is why, as shown in Table 2, the other parliamentary democracies considered here are much more appropriate examples to draw from.
Table 2: Popular vote share and seats won by largest two parties in selected parliamentary democracies

<table>
<thead>
<tr>
<th>Country</th>
<th>Date of last election</th>
<th>Proportion of popular vote share won by largest two parties</th>
<th>Proportion of seats won by largest two parties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>2013</td>
<td>78.9</td>
<td>96.67</td>
</tr>
<tr>
<td>Canada</td>
<td>2011</td>
<td>70.2</td>
<td>87.34</td>
</tr>
<tr>
<td>Germany</td>
<td>2013</td>
<td>67.2</td>
<td>79.87</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>2010</td>
<td>65.1</td>
<td>86.92</td>
</tr>
</tbody>
</table>

Australia is closest to maintaining a classic two-party system, with the Liberal-led coalition and Labor winning nearly 80 per cent of the national vote, as well as more than 96 per cent of seats in the House of Representatives in 2013. While the Green Party have campaigned for access to the TV debates based on their increased popular vote share (they polled 11.76 per cent of the national vote in 2010, for example), these efforts have made little headway, and the Liberals and Labor Party have maintained exclusive access to the broadcasts.

In contrast, the Canadian party system has been far more volatile in recent decades. Indeed, Table 2 rather downplays these changes, as it shows the combined vote of the Conservatives and New Democratic Party, and neglects the fact that 2013 saw the Liberal Party – the party that ruled Canada for 69 years in the twentieth century – dropping to third place overall with only 34 seats and 18.9 per cent of the national vote.

Perhaps as a result, the Canadian debate format has been far less restrictive. It is broadly agreed that parties need to fulfil two criteria to participate in televised debates:

- They need to have representation in the House of Commons.
- They should consistently be polling above 5 per cent in national opinion polls.

An additional entry requirement is that the party leader must also be recognized as a national political figure. This is particularly relevant to smaller parties, where the party leader might not have a seat in parliament.

Three points need to be made about the Canadian example, each of which offers a distinct lesson for the UK:
1. The application of these rules in Canada has not been uncontroversial. In 2008, shortly before the general election, Independent MP Blair Wilson joined the Greens. Coupled with the party’s poll ratings, this in theory should have given the Greens access to the televised debates. However, at least two of the major parties tried to veto the inclusion of the Greens by threatening to withdraw their own cooperation with the debates. Faced by losing major party participation, the broadcasting consortium organising the debates backed down and withdrew the invitation to the Greens. It was only following a public outcry that the invitation was re-instated. The important point here is that because of transparency and the relative stability of the rules for inclusion, it was much harder for major parties to veto the Green’s involvement once they had met those criteria, certainly without suffering a significant public backlash.11

2. The Canadian case is also an example of an interesting approach to handling regionally strong parties. The complex nature of Canadian national identity is reflected in two debates, one in English and one in French. More relevant for the UK though is the inclusion of the Bloc Québécois in debates broadcast across Canada, despite the Bloc only fielding candidates in Quebec. The inclusion of regional parties in national debates recognizes that there is an interaction between national and regional politics, and that arguments made by strong regional parties have significance outside that region.

3. The Canadian solution is quite a blunt instrument, offering only a binary distinction between parties that are either in or out of the debates. Unlike the proposal from UK broadcasters for 2015, there is no attempt to create a granular model of participation.

In terms of party system, Germany is now quite similar to the UK. While the two traditionally dominant parties have retained control of the Chancellor’s office, their traditional support-bases have fractured (this is especially true on the political left). Perhaps as a result of this, Germany now offers an alternative and perhaps better model for organizing debates in multi-party parliamentary systems. Recent decades have seen a distinction drawn between two types of debate format:

- The so-called Elefantenrunde (“elephant round”) debate, which were first broadcast in 1972. Any party with representatives in the Bundestag was invited to participate, so this model reflected the multiparty nature of German politics.
• A new format introduced in 2002, termed the *TV-Duell* (“TV Duel”), which was only open to the leaders of the CDU and SDP, as the parties most likely to provide the next Chancellor.\(^\text{12}\)

Two points need to be made about the *Elefantenrunde* debates. First, it should be noted that, due to the 5 per cent threshold in the regional list element of Germany’s electoral system, getting members into the Bundestag actually presents quite a significant hurdle for a small party. Second, the format disappeared from the schedule in 1990 when Chancellor Helmut Kohl refused to appear in them, being replaced in 2002 with the TV-Duell featuring the two major party leaders. However, in 2013 a format very similar to the old *Elefantenrunden* re-appeared, when each party with members in the Bundestag was invited to send a representative to a debate that was broadcast three days before the country went to the polls.

**Of the debates types in the three countries, it is the German twin-format approach that most closely reflects the constitutional logic of parliamentary democracy.** In particular, it reflects the two-functions of a Parliamentary election – namely that they produce both executive and legislature. Formally voters are participating in the selection of the latter by choosing their local MP. However, we know that a number of factors, such as party platform and attitudes to the would-be Premier, play a role in voting decisions in parliamentary democracies. It is fitting that multiple debates formats should reflect this reality.

---

**The format of any 2015 UK debates should reflect the complexities of the party system across the country, recognizing the regional dynamics of British politics (as occurs in Canada), and that the general election selects both the executive and legislature (as is effectively done in Germany with the two-debate formats).**

---

**Organising and regulating multi-party debates**

One of the striking things about all the parliamentary democracies under consideration in this policy paper – including the United Kingdom – is the relatively ad hoc way debate occurrence and rules are negotiated, with the process essentially being understood as a private enterprise between political parties and broadcasters. Even in the Canadian example cited above, the Green’s inclusion was based on public reaction to the breaking of an established precedent, rather than the application of any legally enforceable rules.\(^\text{13}\)
When debates are organised by broadcasters working in conjunction with political parties, they essentially become private rather than political institutions, making them relatively impervious to legal challenge, especially from excluded smaller parties seeking access. Of the three countries considered here, both German and Canadian debates have endured legal challenges. In both cases, the courts agreed that election law required broadcasters to provide some form of political balance. However, this did not justify judicial intervention in debate organisation.

In Germany, the legal consensus is that debates are a simple television programme rather than a democratic institution. In 2002, the Free Democratic Party (FDP) attempted to litigate their way into debates, using Section 1 of The Political Parties Act to challenge their exclusion, which guaranteed that “Parties should be treated equally if a public institution is providing them with facilities or other public resources.” However, the courts rejected the principle that airtime in an election debate amounted to a public resource.

The FDP got slightly more traction when the court considered their non-inclusion through the prism of Basic Law. While the German constitution guarantees political parties equal opportunities, it also guarantees that broadcasters can control their own programming output. In the light of these contradictions, the courts established a number of tests for inclusion in the Duel debates based on previous, current and potential level of support a party enjoys. Crucially, one of the tests is the likelihood of a party's leader being Chancellor after the election. The inclusion of this criterion meant that the court had essentially backed the logic of the Duel debates as a contest for executive office.

Similarly, Canadian law defines broad principles that broadcasters should adhere to during election campaigns. Section 8 of The Television Broadcasting Regulations of 1987 says that “During an election period, a licensee shall allocate time for the broadcasting of programs, advertisements or announcements of a partisan political character on an equitable basis to all accredited political parties and rival candidates represented in the election or referendum.” Based on these broad requirements, the Green Party sued for access to televised debates in 1988. However, the courts ruled against this challenge in 1993, on the grounds that the debates could not be described as partisan, due the inclusion of multiple parties from across the political spectrum. Provided this broad requirement is met, participation became a matter for broadcasters, in negotiation with political parties.

The history of the Green Party in Canada shows that transparent regulations combined with public pressure can provide an effective way to regulate debates. This is preferable to courts becoming involved in debate organisation.
Televised debates in 2015 should not be taken for granted. The experience of other countries suggests that debates in the election following their first occurrence are far from guaranteed. In both Australia and Canada, voters had to wait a number of years before televised debates recurred. This fact puts a particular onus on broadcasters and other actors seeking to organise televised debates in the UK 2015 to be flexible and imaginative in making their proposals.

- **The German format offers the best example for the United Kingdom.** There are two reasons for this. First, the recent combination of the *Elefantenrunden* and *TV-Duelle* accurately reflects the dual function of elections in a parliamentary democracy – namely electing both the legislature and the executive. Second, the *Elefantenrunden / TV-Duelle* combination is an effective way to open debate opportunities up to more parties. It compares well with the Canadian approach, which is only capable of offering a binary of participation or non-participation.

- **The Scottish National Party (SNP) should be included at the national level.** Televised debates provide an institution that can bring national and regional politics together. The participation of the Bloc Québécois in electoral debates in Canada offers an interesting counterpoint to how SNP participation was handled in the UK in 2010. The SNP only took part in a debate broadcast in Scotland. In contrast, the Bloc Québécois participates in nationally televised election debates. In part, this is because they meet the accepted criteria for debate participation. As important though is the argument that separatist parties, by their very nature, make arguments that have ramifications for all citizens of a state, and that these cannot be regarded as of peripheral interest.

- **Setting precedents and upholding transparency to make debates democratically accountable in future elections.** In all the examples considered in this paper, the courts have declined to intervene in the organisation of televised debates, leaving the arrangements to broadcasters and political parties. However, this does not mean that those arranging debates cannot be held accountable. The clearly understood entry requirements for debates in Canada (and to a lesser degree in Germany) make it very hard for broadcasters and political parties to exclude parties who meet these criteria, as the example of the Canadian Green Party in 2008 indicates. It is important that the logic of any 2015 UK debates is clearly stated in order to set a precedent for future elections.
The 2015 election looks to be ground-breaking for a number of reasons. The party system in Britain is arguably more unstable and unpredictable than it has been at any time since the interwar years. This presents very real problems for those seeking agreement on holding televised debates.

This situation presents three dangers. The first is that established parties, fearful of the unpredictability created by new entrants into the debate process, will veto any proposals for debates (or, to the same effect, place such conditions on their participation as to make debates unworkable). Second, the larger parties may attempt to use their political clout to monopolise participation in the debates, excluding new entrants. However, this outcome may make debates appear illegitimate to the public, and could even have the counter-productive consequence of fuelling the rise of challenger parties. The third danger is that discussion on debate inclusion fixates on UKIP, and neglects other parties (notably the Greens and the SNP) whose growing support also reflects dissatisfaction with larger parties, and whose policy positions offer a distinct counterpoint in contemporary British politics.

Including UKIP in television debates but not extending that invitation further (as broadcasters have currently proposed), will only expand the British political cartel. In contrast, if implemented, the proposals in this paper have the potential to break that cartel, and create televised debates which facilitate a far broader and pluralistic discussion.

**Whatever format they take, televised debates in 2015 must reflect the evolving contours of British politics and recognise the fragmentation of the party system across the political spectrum.**

*Only if this is achieved can televised debates realise their full potential as a democratic institution.*
NOTES

4 These three countries are selected because they are established parliamentary democracies with a long-tradition of holding televised election debates. Additionally, there is a significant body of academic research on election campaigning in all three countries, facilitating comparative study.
5 This is one area where the American experience might also be instructive. Although the Kennedy-Nixon clashes of 1960 are the most frequently cited historical example of televised debates, it is far less often noted that a recurrence was only organised in 1976. This was precisely because the 1960 debates were perceived as being so influential, making future presidential candidates wary of agreeing to participate in such broadcasts.
7 The relevant literature contains slightly contradictory information on whether Germany had its first televised debate in 1968 or 1972. It seems that this confusion is based on the format of the programme broadcast in the two elections: in 1968, politicians debated on regular news programmes, while in 1972 a special debate programme was broadcast. For the purposes of this dataset, 1972 is treated as the first debate.
13 This contrasts with the American model since 1976, where televised debates negotiations have been overseen by an outside organisation. Between 1976 and 1984, this was the non-partisan League of Women voters and, since 1988, the bi-partisan Commission on Federal Debates
14 The author would like to thank Professor Marcus Maurer of the Institut fuer Publizistik, Johannes Gutenberg University Mainz, Germany for this characterization of the situation.
ABOUT:
The Media Policy Project aims to establish a deliberative relationship between policy makers, civil society actors, media professionals and relevant media research. We want policy makers to have timely access to the best policy-relevant research and better access to the views of civil society. We also hope to engage the policy community with research on the policy making process itself. We plan to examine how policy issues emerge on the agenda and how networked communications may aid stakeholder consultation.

MEDIA POLICY PROJECT BLOG:
http://blogs.lse.ac.uk/mediapolicyproject/

TWITTER:
http://twitter.com/LSEmediapolicy

FACEBOOK:
http://on.fb.me/dLN3Ov

CONTACT:
Media.policyproject@lse.ac.uk